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Letter dated 7 February 2005 from the Permanent Representative of Luxembourg to the United Nations addressed to the Secretary-General

I have the honour to bring to your attention a statement on the report of the International Commission of Inquiry on Darfur, made on 7 February 2005 by the Presidency on behalf of the European Union (see annex).

I should be grateful if you could arrange for the present letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Jean-Marc **Hoscheit**
Permanent Representative of Luxembourg to the United Nations

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Annex to the letter dated 7 February 2005 from the Permanent Representative of Luxembourg to the United Nations addressed to the Secretary-General

[Original: English, French and Spanish]

Statement on the report of the International Commission of Inquiry on Darfur issued on 7 February 2005 by the Presidency on behalf of the European Union

1. The European Union welcomes the report, and in particular the recommendations, of the International Commission of Inquiry on Darfur, established under Security Council resolution 1564 (2004), which has just been submitted to the United Nations Secretary-General. The European Union recalls that, from the outset, and in particular in the Council conclusions of 26 July 2004, it has stated its support for the establishment of this Commission of Inquiry.

2. The European Union expresses its concern at the findings of the inquiry, which attribute to the Government of the Sudan and the Janjaweed responsibility for serious violations of human rights and of international humanitarian law, which could be qualified as crimes against humanity. The European Union notes that the Commission also found rebel forces to be responsible for committing acts which could be classified as war crimes. The European Union is concerned at the fact that these attacks, which were noted throughout the inquiry, are continuing.

3. The European Union resolutely condemns these crimes and stresses the importance of putting an immediate end to impunity in Darfur. The Commission of Inquiry recommends that those responsible should answer for their acts before the International Criminal Court. In this context, the European Union reaffirms its constant support for the International Criminal Court, and reiterates its common position on the Court, while noting that it is for the United Nations Security Council to take a rapid decision on this matter.